



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,498	11/26/2003	Manish Anand Bhide	JP920030197US1	9529

7590 08/08/2006

Frederick W. Gibb, III
McGinn & Gibb, PLLC
2568-A Riva Road, Suite 304
Annapolis, MD 21401

EXAMINER

KIM, PAUL

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/723,498

Applicant(s)

BHIDE ET AL.

Examiner

Paul Kim

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2161

DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 25 July 2006.


Response to Amendment

2. Claims 1-25 are pending and present for examination. Claims 1, 17, 20, and 21 are independent.
3. Claims 1-3, 8-9, 11-13, 16-18, and 20-21 have been amended.
4. No claims have been cancelled.
5. No claims have been added.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

-  7. **Claims 1, 8-9, 11, 17-18, 20-22, and ²⁴⁻²⁵~~24~~** are rejected under 35 U.S.C. 103(a) as being unpatentable over Weeks (U.S. Patent No. 6,338,057, hereinafter referred to as WEEKS), filed on 18 November 1998, and published on 3 June 1999, in view of Kobayashi et al (U.S. Patent No. 6,654,742, hereinafter referred to as KOBAYASHI), filed on 11 February 2000, and issued on 25 November 2003.

8. **As per independent claims 1, 17, 20-21, and 24-25**, WEEKS, in combination with KOBAYASHI and WBM, discloses:

A method for ordering web search results comprising the steps of:

using a search engine returning an ordered results set for a search statement
(See WEEKS, col. 1, lines 21-23, wherein this reads over "[i]nformation retrieval tools such as search engines . . . are one means for assisting users to locate data sets of interest");

Art Unit: 2161

identifying a present of a point query in said search statement {See WEEKS, col. 2, lines 61-67, wherein this reads over "embodiments of the present invention identify, within a received data set, a first set of word groups of one or more words according to a first pattern within the data"};

if said point query is present, accepting said ordered results set;

identifying a presence of a recurring search event in said results set {See WEEKS, col. 2, lines 61-67, wherein this reads over "embodiments of the present invention identify, within a received data set, a first set of word groups of one or more words according to a first pattern within the data"}, wherein said recurring search event consists of information in said ordered results set relating to any of a same entity and occurs at different intervals of time, and different versions of information relating to said same entity {See KOBAYASHI, col. 2, lines 48-53, wherein this reads over "'multiple ranking metrics' includes, but is not limited to: date and time of document publication; document size; frequency of document update"};

if a recurring search event is present, then identifying a pattern from said results set {See WEEKS, col. 2, lines 61-67, wherein this reads over "embodiments of the present invention identify, within a received data set, a first set of word groups of one or more words according to a first pattern within the data"}, wherein identifying a pattern includes setting an attribute and searching for said attribute near to an occurrence of at least a part of said search statement in web pages of said results set {See JACOBSON, col. 2, lines 7-9, wherein this reads over "the similarity of document pairs is computed based on the occurrence of infrequently occurring words in the vicinity of query keywords in documents"};

identifying related pages within the results set containing said pattern {See KOBAYASHI, col. 2, lines 36-47, wherein this reads over "determine a new collection of documents in higher-ranking positions of the sorted collections of documents"; and col. 2, lines 48-53, wherein this reads over "'multiple ranking metrics' includes . . . extent of inclusion of terminology related to prescribed information; number of keywords related to prescribed information"};

ranking said related pages {See KOBAYASHI, col. 2, lines 36-47, wherein this reads over "perform arithmetical operation between the new collections of documents in higher-ranking positions; and determine documents in higher-ranking positions of a result of the arithmetical operation as a search result"}; **and**

reordering said ordered set to place said related pages first {See KOBAYASHI, col. 2, line 66-col. 3, line 2, wherein this reads over "it becomes possible, by utilizing multiple ranking metrics, to rank a search result of a large amount of data so that highly relevant data from a viewpoint prescribed by a user gather in higher-ranking positions"}; **and**.

presenting the reordered ordered set with said related pages placed first to a user {See KOBAYASHI, Figure 5}.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein a recurring search event is identified, and a pattern subsequently identified from the result set so that the related pages may be reordered and ranked accordingly; wherein if a point query is present, the ordered results set is accepted and returned; and wherein identifying a pattern

Art Unit: 2161

includes selecting a certain attribute and searching for the attribute within the vicinity of query keywords of the results set.

One of ordinary skill in the art would have been motivated to do this modification so that web pages containing certain recurring search events may be ranked higher within the results set; upon detection of a point query, which alternatively means a recurring search event is absent, returns the ordered results set without need for further pattern detection, as specified in the steps following the detection of a recurring search event; and the pattern may be identified and the corresponding web pages reordered accordingly.

9. **As per dependent claim 8, WEEKS, in combination with KOBAYASHI, discloses:**

The method of claim 1, wherein said the reordering step process orders said related pages relatively based on rank {See KOBAYASHI, col. 2, lines 36-47, wherein this reads over "perform arithmetical operation between the new collections of documents in higher-ranking positions; and determine documents in higher-ranking positions of a result of the arithmetical operation as a search result"; and col. 2, line 66-col. 3, line 2, wherein this reads over "it becomes possible, by utilizing multiple ranking metrics, to rank a search result of a large amount of data so that highly relevant data from a viewpoint prescribed by a user gather in higher-ranking positions"}.

10. **As per dependent claims 9, 18, and 22, WEEKS, in combination with KOBAYASHI, discloses:**

The method of claim 1, wherein said the ranking step process includes determining a degree of match of each web page of the results set with said pattern {See KOBAYASHI, col. 7, line 66-col. 8, line 15, wherein this reads over "a degree of relevance is calculated under R_i by ordering selection as to each element d_i of search result S in the same procedure as in steps 403 to 404"}.

11. **As per dependent claim 11, WEEKS, in combination with KOBAYASHI, discloses:**

The method of claim 1, wherein said reordering is performed on a basis of time such that a most recent web page appears first {See KOBAYASHI, col. 2, lines 48-53, wherein this reads over "'multiple ranking metrics' includes . . . date and time of document publication"}.

12. **As per dependent claim 24, WEEKS, in combination with KOBAYASHI, discloses:**

The computer program product of claim 21, wherein said computer program further includes a search engine code element for generating said results set {See WEEKS, col. 1, lines 21-23, wherein this reads over "[i]nformation retrieval tools such as search engines . . . are one means for assisting users to locate data sets of interest"}.

13. **Claims 2-7, 10, 12, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over WEEKS, in view of KOBAYASHI, and in further view of Official Notice.**

14. **As per dependent claims 2 and 23, WEEKS, in combination with KOBAYASHI, discloses:**

Art Unit: 2161

The method of claim 1, including the further steps of:

~~identifying a presence of a point query in said search statement; and~~

~~if said point query is present, accepting said ordered results set.~~

Wherein said recurring search even consists of different sets of information relating to an event or entity marked by any of an ascending and descending series of numbers {See KOBAYASHI, col. 3, line 65 – col. 4, line 5, wherein this reads over “there are two kinds in all ranking metrics, namely descending/ascending order, and besides, in the case of data or size, it is possible to specify order of being close to/far from a specific valued such as 1995”}.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method the recurring search is marked by either or both ascending and descending series of numbers.

One of ordinary skill in the art would have been motivated to do this modification so that upon the recurring search may return sets of information in either or both ascending and descending order.

15. **As per dependent claim 3**, WEEKS, in combination with KOBAYASHI and Official Notice, discloses the method wherein a point query is identified by a presence of keywords.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein a point query is identified by certain keywords.

One of ordinary skill in the art would have been motivated to do this modification since the use of queries for the searching of web pages generally necessitates the use of certain keywords.

16. **As per dependent claim 4**, WEEKS, in combination with KOBAYASHI and Official Notice, discloses the method wherein keywords include a form of alphanumeric characters.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein the keywords identifying a point query are comprised of alphanumeric characters.

One of ordinary skill in the art would have been motivated to do this modification since it is widely known within the art that keywords are comprised of alphanumeric characters.

17. **As per dependent claim 5**, WEEKS, in combination with KOBAYASHI and Official Notice, discloses the method, wherein characters include four digits.

Art Unit: 2161

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein the keywords identifying a point query are comprised of four digits.

One of ordinary skill in the art would have been motivated to do this modification since it is widely known within the art that years, which are commonly searched, comprise of four digits.

18. **As per dependent claim 6**, WEEKS, in combination with KOBAYASHI and Official Notice, discloses the method wherein characters include Roman numerals.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein the keywords identifying a point query are comprised of Roman numerals.

One of ordinary skill in the art would have been motivated to do this modification since events are sometimes described by Roman numerals (e.g. Super Bowl XXIV).

19. **As per dependent claim 7**, WEEKS, in combination with KOBAYASHI and Official Notice, discloses the method wherein characters include a n^{th} sequence.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein the keywords identifying a point query are comprised of a n^{th} sequence.

One of ordinary skill in the art would have been motivated to do this modification since events are sometimes described by which of a n^{th} sequence it is (e.g. the 111th ACM Conference).

20. **As per dependent claim 10**, WEEKS, in combination with KOBAYASHI and Official Notice, discloses the method wherein the degree of match is based upon at least one of a title, snippet, and entire content of said web page.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein the degree of match is based upon at least one of a title, snippet, and entire content of the webpage.

One of ordinary skill in the art would have been motivated to do this modification since it is widely known within the art that in doing a search, keywords are compared against the title, metadata, or other content of the webpage.

Art Unit: 2161

21. **As per dependent claim 12**, WEEKS, in combination with KOBAYASHI and Official Notice, discloses:

~~The method of claim 1, wherein identifying a pattern includes setting an attribute, and searching for said attribute near to an occurrence of at least a part of said search statement in web pages of said results set. said recurring search even occurs when said keywords appear in said results set are within exactly 10-15 words before or after occurrences of said search statement.~~

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a method wherein the search method applies a search wherein keywords which appear in the result set are 10-15 words in proximity adjacency of the search statement.

One of ordinary skill in the art would have been motivated to do this modification since it is common to search for keywords which are adjacent in proximity of a search statement.

22. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over WEEKS, in view of KOBAYASHI, and in further view of Jacobson et al (U.S. Patent 6,167,397, hereinafter referred to as JACOBSON), filed on 23 September 1997, and issued on 26 December 2000.

23. **As per dependent claims 19**, WEEKS, in combination with KOBAYASHI and JACOBSON, discloses:

The method of claim 1, wherein identifying a pattern includes setting an attribute, and searching for said attribute near to an occurrence of at least a part of said search statement in web pages of said results set {See JACOBSON, col. 2, lines 7-9, wherein this reads over "the similarity of document pairs is computed based on the occurrence of infrequently occurring words in the vicinity of query keywords in documents"}.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the aforementioned inventions such that the identifying a pattern includes selecting a certain attribute and searching for the attribute within the vicinity of query keywords of the results set.

One of ordinary skill in the art would have been motivated to do this modification so that the pattern may be identified and the corresponding web pages reordered accordingly.

24. **Claims 13-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over WEEKS, in view of KOBAYASHI, in further view of JACOBSON, and in further view of Official Notice.

Art Unit: 2161

25. **As per dependent claim 13**, WEEKS, in combination with KOBAYASHI, JACOBSON, and Official Notice, discloses a method, including identifying equal incremental changes in the attribute in different web pages. It would have been obvious to one of ordinary skill in the art at the time the invention was made to identify equal incremental changes in an attribute, such as the year of a conference or sporting event, from different web pages which are the results of a search.

One of ordinary skill in the art would have been motivated to do this modification so that recurring events may be identified from the results set.

26. **As per dependent claim 14**, WEEKS, in combination with KOBAYASHI, JACOBSON, and Official Notice, discloses a method, wherein the attribute is numeric {See JACOBSON, col. 1, lines 25-27, wherein this reads over "the attribute/value pair could be name/phone numbers"}. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the attribute be numeric since most recurring events are identified by either months or years.

One of ordinary skill in the art would have been motivated to do this modification so that recurring events may be identified from the results set.

27. **As per dependent claim 15**, WEEKS, in combination with KOBAYASHI, JACOBSON, and Official Notice, discloses a method, wherein the attribute is based on a representation of any of a date, time and year. It would have been obvious to one of ordinary skill in the art at the time the invention was made that the attribute be based on a representation of any of a date, time, and year since most recurring events are identified by either months or years.

One of ordinary skill in the art would have been motivated to do this modification so that recurring events may be identified from the results set.

28. **As per dependent claim 16**, WEEKS, in combination with KOBAYASHI, JACOBSON, and Official Notice, discloses a method, wherein a nearness of an attribute is determined by a separation of N words {See JACOBSON, col. 2, lines 7-9, wherein this reads over "the similarity of document pairs is computed based on the occurrence of infrequently occurring words in the vicinity of query keywords in documents"}. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to determine by a separation of N

Art Unit: 2161

words the nearness of an attribute since where an attribute is separated by 20 words from the keyword, the relatedness of the attribute would be questionable.

One of ordinary skill in the art would have been motivated to do this modification so that recurring events may be identified from the results set.

Response to Arguments

29. Applicant's arguments filed on 25 July 2006 with respect to claims 1, 8-9, 11, 17-18, 20-22, and 24 have been considered but are moot in view of Applicant's Amendment and the respective new ground(s) of rejection.

30. Applicant's arguments filed on 25 July 2006 with respect to claim 13 have been fully considered but they are not persuasive. Applicant respectfully makes a demand of evidence that supports the position in the Office Action dated 6 June 2006 that it is well-known to identify equal incremental changes in the attribute in different web pages. Applicant's claimed invention recites that the "attribute is numeric" and "based on a representation of any of a date, time and year." In response, the Office presents the Non-Patent Literature found on the search engine, the "WayBackMachine." Two searches detailing incremental changes regarding the "date, time and year" attribute have been appended to this Office Action. Accordingly, the rejection of claim 13 is sustained under 35 U.S.C. 103(a).

Conclusion

31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

Art Unit: 2161

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paul Kim
Patent Examiner, Art Unit 2161
Technology Center 2100



SAM RIMELL
PRIMARY EXAMINER